

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Revision Application No.43 of 2007.

[Sukhdeo Dudhram Ikhar]

Vs.

[Shyamrao S/o Pandurang Mengare Bhandara and anr.]

 Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's orders

Shri N. S. Talmale, Advocate for the
 applicant.

Shri R. B. Upadhyay, Advocate for the
 R-1.

Coram: A. H. JOSHI, J.

Dated: 29th November 2007.

1. The petitioner is challenging the Judgment and order passed by the District Court reversing the decree of the Trial Court, and thereby dismissing the suit.

2. The crucial issue, which arises is that whether the notice was served on the petitioner. The appellate Court has recorded the finding that since the notice was refused, it was

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pasted on the house of the plaintiff, and it is a due service. On the basis of the appreciation of evidence, this finding is recorded, which is not shown to be erroneous or otherwise illegal. The Judgment rendered by the appellate Court is not shown to be otherwise erroneous or illegal.

3. No interference is called for. Petition is dismissed.

JUDGE

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